

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CARL KAUFFMAN, III	:	
Plaintiff	:	No. 1:13-cv-659
	:	
v.	:	(Judge Kane)
	:	
DANIEL BARBAGELLO,	:	(Chief Magistrate Judge Carlson)
<u>et al.</u>	:	
Defendants	:	

ORDER

Before the Court in the captioned action is a September 15, 2015 Report and Recommendation (Doc. No. 99) of the Magistrate Judge. No timely objections have been filed.

ACCORDINGLY, this 5th day of October 2015, upon review and record and the applicable law, **IT IS HEREBY ORDERED THAT:**

- 1) The Court adopts the Report and Recommendation of Magistrate Judge Carlson.
- 2) Plaintiff's motion for summary judgment (Doc. No. 67) is **DENIED**.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania